

REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF IRVINGTON, NEW YORK HELD ON MONDAY DECEMBER 17, 2001 AT 7:00 P.M. VILLAGE HALL, 85 MAIN STREET, IRVINGTON, NEW YORK.

Present: Dennis P. Flood, Mayor
Garrard R. Beeney, Trustee
Sheila M. Attai, Trustee
Richard J. Livingston, Trustee
Stephen A. McCabe, Village Administrator
Donald P. Marra, Deputy Administrator
Lawrence S. Schopfer, Clerk-Treasurer
Robert Mascianica, Supt. of Public Works
Louis Grieco, Police Lieutenant

Mayor Flood called the meeting to order. Trustee Attai made a motion for the Board to adjourn to executive session to take up legal and personnel matters. The motion was seconded by Trustee Milano and unanimously approved.

Upon reconvening after executive session, the regular meeting was called to order by Mayor Flood who led the attendance in the pledge of allegiance to the flag of the United States of America.

Mayor Flood opened the floor to public comment on matters not contained on the agenda of the regular meeting. Barbara Denyer and Annette Leyden asked about the proposed purchase of a house from Con Edison. Mrs. Molina presented the Board with a poster made by children at Dows Lane School. Karl Dibble requested a modification of the hours of operation permitted under his previously issued peddling permit. The Board began discussion of the request. Mr. Dibble was asked a question by Trustee Beeney. Mr. Dibble walked out of the meeting. There was no further discussion of Mr. Dibble's request. There were no further comments from those in attendance.

Trustee Attai made a motion to approve the minutes of the regular meeting of the Village Board held on December 3, 2001. The motion was seconded by Trustee Livingston and unanimously approved with Trustee Beeney abstaining from the vote.

Mayor Flood continued the public hearing regarding a proposed option agreement to acquire a portion of the Westwood property for open space preservation. Mayor Flood provided background on the proposed agreement and reviewed the actions previously taken by the Village regarding SEQRA and the bond resolution. Mayor Flood also provided a history of the open space preservation initiative, particularly as it related to the Westwood property.

Pat Gilmartin discussed numerous points and expressed his view against the proposed transaction. A transcript of the discussion, submitted by Mr. Gilmartin, is attached hereto as a part of these minutes. Mayor Flood and each Trustee responded to Mr. Gilmartin's statements. Other audience members made statements in favor of the acquisition including Terry Masterson, Jonathan Elwyn, a Mountain Road resident, a Riverview Road resident, Doug Wilson, Barbara Denyer, and Jan Blaire on behalf of the Open Space Advisory Committee. Annette Leyden asked some questions relating to funding. Peter Derby discussed the value placed on each of the building lots. Ruth Neuwirth asked a question of fact regarding the proposed subdivision.

After the discussion had ended, Trustee Beeney made a motion to close the public hearing on the proposed hearing. Trustee Attai seconded the motion and it was unanimously approved.

Trustee Beeney made a motion to authorize the Mayor to execute an option agreement between the Village of Irvington and Westwood Development Associates, Inc. for the acquisition of a portion of the Westwood property for open space preservation as set forth in the option agreement subject to the following:

- (a) Receipt of an opinion from the Village Attorney that the title is clear and acceptable in all respects; and,
- (b) A Memorandum of Option to Purchase executed by Westwood Development Associates.

The Village Board hereby directs the Village Attorney to file said Memorandum of Option to Purchase to record the existence of the option agreement and secure a lien against the subject property. Trustee Livingston seconded the motion and it was unanimously approved.

Mayor Flood provided some background on the acceptance of credit cards by the Village for the payment of taxes, fees and other charges. After some discussion, Trustee Attai made a motion to adopt the following resolution:

WHEREAS, it is in the public interest to accept credit cards for the payment of municipal charges; and

WHEREAS, Section 5 of General Municipal Law authorizes municipalities to accept credit cards and other similar instruments for such payments; and

WHEREAS, it is expected that the costs associated with the processing of credit card payments will be offset by a fee paid by the customer;

NOW THEREFORE BE IT RESOLVED that the Village Board hereby authorizes the acceptance of credit cards and similar instruments for the payment of all fines, civil penalties, rent, rates, taxes, fees, charges, and other amounts pursuant to Section 5 of General Municipal Law.

BE IT FURTHER RESOLVED that the Clerk-Treasurer is hereby authorized to enter into a merchant account agreement with Card Service International to provide merchant account processing services. The Clerk-Treasurer is further authorized to pay any related processing charges associated with said services and charge a convenience fee to recover the cost of said processing and equipment charges.

Trustee Beeney seconded the motion and it was unanimously approved.

Mayor Flood provided background on the proposed amendment to an intermunicipal contract with Westchester County to provide increased funding for the addition to the Senior Citizens' Center. Trustee Beeney made a motion to approve the second amendment to Westchester County contract # C67-00-J50 and to authorize Village Administrator Stephen McCabe to execute said contract. The motion was seconded by Trustee Livingston and unanimously approved.

Mayor Flood outlined the proposed commuter parking permit fees.. After some public discussion, Trustee Livingston made a motion to set commuter parking permit fees effective February 1, 2002 as follows:

Resident Railroad Permit – Annual – \$150

Resident Railroad Permit – for a Four Month Period – \$60

Non-Resident Railroad Permit – Annual – \$480

Non-Resident Railroad Permit – for a Four Month Period – \$180

Trustee Attai seconded the motion and it was unanimously approved.

Mayor Flood requested the appointment of Carolyn Burnett to the Planning Board for a term to expire April 2005. Trustee Attai made such a motion. The motion was seconded by Trustee Livingston and unanimously approved.

Mayor Flood outlined the proposed contract between the Village of Irvington, Town of Greenburgh, and the City of New York for the purchase of water to supply Irvington Water Department customers. After some discussion, Trustee Beeney made a motion to authorize the Mayor to execute said agreement. The motion was seconded by Trustee Attai and unanimously approved. The full text of the resolution is attached hereto as a part of these minutes.

Trustee Livingston summarized the activities of the Architectural Review Board. He also reported that the installation and testing of the new underground storage tank at the DPW yard is has been completed. He discussed CHIPS reimbursement and the Water Department's response to recent leaks around the Village. He also discussed an upcoming meeting of the Fire Department.

Trustee Attai noted that the Building Departmen has had many requests for certificates of occupancy due to the increase in mortgage refinancings. She also discussed the involvement of the Police Department in the "Toys for Tots" program. She announced that the D.A.R.E. program would begin on January 7th. Trustee Attai reported on a recent presentation that she gave regarding Scenic Hudson Park at Irvington.

Trustee Beeney thanked the Recreation Department staff for their efforts during the holiday season. He also discussed various programs and events including Basketball, a Killington ski trip, the youth football program and the recent Holiday Happenings.

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Village Administrator Stephen McCabe requested the Board to authorize the submission of a Greenway grant application in the amount of \$10,000 to conduct certain land use studies in conjunction with the Westchester Land Trust and to authorize the application to be executed by the Mayor and/or Village Administrator. Trustee Livingston made such a motion as requested. Trustee Beeney seconded the motion and it was unanimously approved.

Trustee Attai made a motion for the Board to adjourn to executive session to take up legal and personnel matters. The motion was seconded by Trustee Livingston and unanimously approved.

Upon reconvening from executive session, upon a motion duly made, seconded and unanimously approved, the Board appointed Michael Casadone to the position of Laborer at an annual salary of \$27,331 effective December 21, 2001.

There being no further business, the meeting was adjourned.

Lawrence S. Schopfer, Clerk-Treasurer

Attachments